

PART VII
ATTACHMENTS

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ATTACHMENT 1

VIOLATION SUMMARY SHEET

Enforcement ID: _____

Received by Enforcement: _____

ESC Date: _____

ENTITY:		FACILITY:	
TYPE OF VIOLATOR:			
TPDES ID:		EPA ID:	
INSP. DATE(S):		INSP. TYPE:	
SMALL BUSINESS/MINOR SOURCE: Y or N		OUTSTANDING FEES:	
REFERRED BY: Region: Telephone:			
COMPLIANCE HISTORY:			
Enforcement Action Request (EAR) referred _____. The following violations and or areas of concern, were found to be applicable based upon the Central Office Enforcement Screening Committee review:			

	<u>Status/Area/Class</u>			
1.				
2.				
3.				
4.				
5.				
6.				
ACTION TO BE TAKEN:			ACTION BY:	
PRIORITY:			DUE DATE:	
NOV - DUE DATE:			EPA DUE DATE:	
ENFORCEMENT COORD:			ATTORNEY:	
ADDITIONAL COMMENTS:				

Warning Letter Shell

Date

Name of Permittee
Address

Re: TPDES Permit No. XXXX

Dear Permittee:

The records of the self-reporting system indicate that we have not received any reports concerning the effluent quality from the wastewater treatment facility governed by the above-referenced permit for the month(s) of *Month, Year* through *Month, Year*.

Compliance with rules 30 TAC 319.1 - 319.11 of the Texas Natural Resource Conservation Commission (TNRCC) is a requirement of your permit. Failure to submit the proper reports is a violation of TNRCC rules, the permit referenced above and the Texas Water Code.

The TNRCC is dedicated to working with the regulated community to achieve compliance with applicable laws, regulations and permit provisions. We dedicate considerable resources toward making voluntary compliance achievable. When compliance has not been met, it is our duty to protect the public and the environment by enforcement of the State's laws. The TNRCC is authorized to require corrective actions, assess administrative penalties up to \$10,000 per day per violation, or both.

Please compile any and all delinquent reports and submit them to the Database and Administration Team (MC 148), Enforcement Division, P. O. Box 13087, Austin, Texas 78711-3087 by *Day, Month, Year*. If you have previously submitted the report(s), please send us a copy for our records. Your immediate attention to this important matter will be appreciated. Should you have any questions concerning this letter, please contact Mrs. Rosie Garza at (512) 239-4574.

Sincerely,

Jan Sills, Team Leader
Database and Administration Team (MC 148)
Enforcement Division

Enclosure

cc: TNRCC - *City Name* Regional Office

NOV format

CERTIFIED MAIL -RETURN RECEIPT REQUESTED

(Contact Name)

(Entity Name)

(Address)

(City), Texas (Zip Code)

Re: *(Entity Name)*

(Location)

TPDES Permit No.

Notice of Violation

Dear *(Contact Name)*:

On *(date)*, a member of our regional staff inspected the above-named *(facility, plant, system, etc.)* and determined that the *(facility, plant, system, etc.)* is not in compliance with applicable laws, (and) regulations (and permit provisions if applicable) pertaining to water quality as set forth in this letter and the enclosed summary. We have determined that this matter needs to be resolved through a formal enforcement action which may require corrective actions, administrative penalties or both.

We will process this matter according to an agency procedure that is designed to save you and the Texas Natural Resource Conservation Commission (TNRCC) a significant amount of time and expense. We have begun preparing a Commission order that will specify administrative penalties, corrective action, or both. This order will be mailed to you in the near future. If you concur with the penalty and the technical recommendations of the order, you may sign it and return it to the TNRCC, and this matter will be resolved. If you disagree with the order, we will be available to discuss settlement during a conference scheduled at a mutually agreed upon time.

The TNRCC requests that you submit any documentation demonstrating that *these/this* violation(s) have been cited in error. This information should be submitted within two weeks of the date of your receipt of this letter and addressed as follows:

Enforcement Coordinator's Name
Water Quality Team
Water & Multimedia Section
Enforcement Division, MC-149
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

Facility Name

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The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

If you have any questions regarding these matters, please contact (Enforcement Coordinator) of my staff, MC-149, at (512) 239-XXXX.

Sincerely,

David Bower, Supervisor
Water Quality Team, Water & Multimedia Section
Enforcement Division

(INITIALS): (Signer-CAPS/Originator-Caps/typist-lower case)
EX: (JMV/KAB/kb)

OR

(INITIALS): (Signer-CAPS/Originator and Typist-CAPS)
EX: (JMV/KAB)

Enclosure

cc: Program Manager Name, (*City*) Regional Office

bcc: Inspector
Attorney

SUMMARY OF VIOLATIONS

1. (Regulation Cited)
(Violation Description)

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PART VIII
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*Subchapter A : Enforcement Generally

*Subchapter B : Mandatory Enforcement Hearings

*Subchapter C : Enforcement Referrals to SOAH

*Chapter 321

*Subchapter B : Livestock and Poultry Production Operations

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